

LOWER PAXTON TOWNSHIP
PLANNING COMMISSION

June 13, 2012

COMMISSIONERS PRESENT

Fredrick Lighty
Dennis Guise
Roy Newsome
Robin Lindsey
Richard Beverly

ALSO PRESENT

Dianne Moran, Planning & Zoning Officer
Steve Fleming, HRG Inc.
Al Bain HRG, Inc.
Tim Smith, Dauphin County Planning Commission

CALL TO ORDER

Mr. Lighty called the regular meeting of the Lower Paxton Township Planning Commission to order at 7:02 pm, on June 13, 2012 in Room 171 of the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mr. Lighty led in the recitation of the Pledge of Allegiance.

APPROVAL OF MINUTES

Mr. Newsome made a motion to approve the meeting minutes from the March 14, 2012 and April 11, 2012 meetings. Mr. Beverly seconded the motion, and a unanimous vote followed.

PUBLIC COMMENT

Mr. Lighty asked for comments from the audience on anything not on the agenda. There were none offered.

OLD BUSINESS

There was no old business this month.

NEW BUSINESS

Final Subdivision Plan #12-06
Amber Fields, Phase V

Ms. Moran stated that the Township has received a plan for the Phase V portion of Amber Fields. Phase V consists of eighteen single family dwellings. The property is zoned R-C, Residential Cluster. The tract of land is located between Devonshire Road and Devonshire Heights Road, west of Nyes Road. This parcel was zoned R-1, Low Density Residential District, before being rezoned to R-

C in 1992. The overall property consists of 111.34 acres. The total area for Phase V consists of 12.84 acres. The property is served by public sewer and public water.

The applicant has requested a waiver of the maximum cul-de-sac length requirement. The applicant proposes a cul-de-sac length of 893 feet. There will be nineteen units served by this cul-de-sac.

Joel McNaughton was present on behalf of the plan.

Mr. McNaughton stated that on the Preliminary Plan, Phase V was approved to have 20 lots. The Final Plan has some changes, including shortening the cul-de-sac and reducing the number of lots to 18. He noted that he has reviewed and addressed the comments from staff and engineer. Mr. Lighty asked about the comments from the Public Works Department. Mr. McNaughton stated he has also addressed those comments.

Mr. Newsome asked about the right-of-way near Longview Drive. It will be appended to Lot 72. He asked if there will be access to Devonshire Heights Road. Mr. McNaughton answered no. Mr. Newsome suggested if the development is not going to use that area for access, it would make more sense to convey it to the adjoining property owners and get it off the plan. Mr. McNaughton stated they have looked at that, and at this time they will leave it with the one lot. If there is a desire for that land in the near future, they would also consider resubdividing it. Mr. Newsome stated they are creating a situation where someone could put a driveway there.

Mr. Lighty asked why it is there. Mr. McNaughton explained that the original preliminary plan included a road connecting to Devonshire Heights Road. There were several of those connections. Being five phases into the development, and already having three accesses, it is just not necessary. Mr. Newsome agreed they do not need the additional access.

Mr. Lighty stated that it is natural for residents to use the area to cut through trying to avoid the intersection of Devonshire Heights Road and Nyes Road. He asked if there has been any study of the cut through traffic, or if the current residents there complain of cut through traffic. Mr. McNaughton stated they have not done anything official, but residents have noticed it is a back way around the intersection. He thought that another opening in the back of the development may actually promote the cut through traffic.

Mr. Lighty questioned if people are going to use it as a cut through, do you make it more difficult to discourage that, or accommodate them since they are going to do it anyway. Mr. McNaughton commented that with the three connections that already exist, it seems to be very adequate for safety and convenience of those living there.

There were no comments offered from the audience.

Mr. Guise made a motion to recommend approval of the plan and approval of the waiver requests, subject to satisfying the comments. Mr. Newsome seconded the motion, and a unanimous vote followed.

Preliminary/Final Land Development Plan #12-08
Community General Osteopathic Hospital
N/S Nursing Expansion

Ms. Moran stated that this plan proposes the construction of a 64,800 square-foot three-story expansion of the North/South Nursing Corridor on top of the existing two-story portion of the hospital. An 18,753 square-foot portion of the existing hospital will be demolished. The expansion will house 96 patient beds and the demolition will result in the loss of 43 beds, for a total gain of 53 beds.

The property is zoned IN, Institutional District, and the property consists of 35.81 acres. The property is located north of Londonderry Road and east of Arlington Avenue. The property is served by public sewer and public water. No new impervious coverage is proposed.

On May 24, 2012, the Zoning Hearing Board granted Variance #1312 to increase the height of the addition to 70 feet.

The applicant has requested a waiver of the requirement to provide a preliminary plan, and a waiver of the requirement to provide a wetlands delineation report.

Christine Hunter of H. Edward Black was present on behalf of the plan.

Ms. Hunter reviewed the overall site for the Commissioners, as well as the expansion area. Mr. Newsome asked the date of construction of the area to be demolished. She answered 1959.

Mr. Lighty asked the purpose of the demolition. Ms. Hunter stated that this portion of the hospital is one of the oldest sections. The rooms in it are obsolete, and would be near impossible to bring them to current standards. When it is demolished, it will be returned to lawn.

Ms. Hunter explained that the overall objective is to update patient rooms, and provide additional rooms where they are better utilized.

Ms. Lindsey asked if the rooms to be removed are being used now. Ms. Hunter answered yes. She added that the hospital can legally use the rooms, but if they create new rooms, they would be nothing like these. One goal of the hospital is to bring all of its facilities to current standards.

Ms. Hunter explained that the section to be expanded is currently two floors, but was constructed to carry five floors. The proposal is to now construct the additional floors. The total height will be 70 feet, which includes 10 feet granted by variance.

Ms. Hunter stated she has reviewed the comments provided, and they have already begun adjusting the plans accordingly.

Ms. Lindsey suggested the extra rooms will lead to additional jobs. Ms. Hunter stated they do anticipate a need for additional employees. The current parking will support them, even though the

parking is at a distance. She noted that parking is something that will be addressed in a future plan, but not on this one. She added that there is a shuttle for the parking areas.

Mr. Lighty asked if there are anything in the Zoning Ordinance that may be problematic for the future plans of the hospital. Ms. Hunter stated that the maximum height might require an additional variance.

Paul Tiburen, Vice President of Facilities and Support at Pinnacle Health, explained that one of the goals of Pinnacle is to create private patient rooms at all of its campuses. There are renovations taking place in the Harrisburg Hospital, and a new hospital is being built on the west shore. He added that unfortunately, they are seeing a need for more oncology services. There may be a need to add a floor for more chemotherapy infusion treatments. He also noted they are sensitive to the parking issues and are considering several options to alleviate difficulties for the patients and visitors.

Ms. Lindsey asked about the loss of patient space when the rooms go from double occupancy to single. Ms. Hunter stated that the loss will be made up in the addition when the third floor is fit out with the 53 additional beds.

Mr. Newsome made a motion to recommend approval of the plan and waiver requests, subject to compliance with the comments generated by Staff, Engineer and County. Mr. Beverly seconded the motion and a unanimous vote followed.

Special Exception #12-03

Club 22

BYOB Club

Ms. Moran stated that Christopher Danilshenko has submitted an application for a Special Exception to operate a BYOB Club at 3920 Jonestown Road. The property is zoned CG, Commercial General, which allows a BYOB Club as a Special Exception. She explained that Article 116 allows the application be reviewed by the Planning Commission for any advisory comments the Commission may wish to provide to the Zoning Hearing Board.

Joseph Carachelo, was present on behalf of Mr. Danilshenko and his special exception application.

Mr. Carachelo stated the purpose of the ordinance is to regulate the hours of operation of BYOB clubs to preserve the health safety and general welfare, and protect the general citizens' enjoyment of property. The ordinance calls for the BYOB to remain open from 2:00 am to 8:00 am. This seems counterproductive. He presented a more detailed version of Ordinance Section 63, which states "it shall be unlawful ...to remain open between 2:00 am and 8:00 am". He surmised that the intention is to not allow a BYOB to be open between those hours. It is the applicant's intention to only be open from 8:00 am to 2:00 am. Right now the club is open until 5:00 am.

Mr. Carachelo stated that the applicant has been submitting information to the police department for their BYOB permit, and discovered he also needs a zoning exception. It is required to have insurance, which it does. It needs to have a valid certificate of occupancy, which it has hanging

in the club. It needs an annual fire inspection, which is performed annually. The BYOB permit will be received from the police department after the special exception is approved. The only change to be made is the shorter hours. Based on the requirements in 63.6, the applicant only needs to change the hours. He noted that there are other BYOB clubs nearby.

Ms. Lindsey asked about the parking across Route 22 from the building. There will be property at 3801 Walnut Street, next to KFC that can hold up to 80 cars. That lot is only for valet parking.

Ms. Lindsey questioned the intention to improve the neighborhood. Mr. Carachelo stated that the shorter hours is the improvement.

Mr. Guise asked if the club will close at 2:00 am or just the BYOB. Mr. Carachelo answered that the whole club will close at 2:00 am.

Mr. Newsome asked if the club operates under another name. Mr. Carachelo stated that it is called Club 22, and he was hired as a consultant and has fired all of the staff that had been working there, as well as 90% of the entertainers.

Mr. Newsome asked about the other BYOBs in the Township. Ms. Moran did not know of them. Mr. Newsome stated it is proper that Club 22 has come before the Township for the special exception, but he also suspects that there are businesses that operate as a BYOB that do not have a license to do so.

Ms. Moran stated that the ordinance defines a BYOB club as a place of business that charges a cover charge to gain admittance. Mr. Newsome suggested it be looked into.

Ms. Lindsey asked about the building beside Club 22. Mr. Carachelo stated they are not owned by the same owners.

Ms. Lindsey asked if the public is made aware of this application. Ms. Moran stated that the property is posted for the Zoning Hearing Board which will be held later this month. She added that she has not received any calls regarding the matter.

Mr. Lighty called for public comment. Watson Fisher asked about drinks currently served at the club. Mr. Carachelo they serve water, soda and energy drinks, but no alcoholic drinks.

Mr. Guise made a motion to recommend approval of the special exception. Mr. Newsome seconded the motion and a unanimous vote followed.

COMMISSIONERS' COMMENTS

Mr. Newsome and Mr. Lighty agreed that the BYOB ordinance needs to be updated. Ms. Moran noted it is part of the Codified Ordinance, not the Zoning Ordinance.

ADJOURNMENT

The next regular Planning Commission meeting is scheduled for Wednesday, July 11, 2012, at 7:00 pm at the Lower Paxton Township Municipal Center, Room 171.

Being no further business, the meeting adjourned at 8:02 pm with a unanimous vote.

Respectfully Submitted,

Michelle Hiner
Recording Secretary